

AMENDED IN ASSEMBLY MARCH 4, 1999
AMENDED IN SENATE FEBRUARY 25, 1999
AMENDED IN SENATE FEBRUARY 19, 1999
AMENDED IN SENATE FEBRUARY 12, 1999
AMENDED IN SENATE FEBRUARY 9, 1999

CALIFORNIA LEGISLATURE—1999–2000 FIRST EXTRAORDINARY SESSION

SENATE BILL

No. 1

Introduced by Senator Alpert

January 19, 1999

An act to add Chapter 6.1 (commencing with Section 52050) to Part 28 of the Education Code, relating to school performance, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

SB 1, as amended, Alpert. Education accountability.

Existing law requires each school district, charter school, and county office of education to administer to each of its pupils in grades 2 to 11, inclusive, an achievement test designated by the State Board of Education as part of the Standardized Testing and Reporting program.

This bill would establish the Public School Performance Accountability Program that would consist of an Academic Performance Index, an Immediate Intervention/Underperforming Schools Program, and a Governor's High Achieving/Improving Schools Program.

This bill would require the Superintendent of Public Instruction, with approval of the State Board of Education, to develop the Academic Performance Index (API), consisting of a variety of indicators, to be used to measure performance of schools. The bill would require the Superintendent of Public Instruction to develop, and the State Board of Education to adopt, expected annual percentage growth targets for all schools based on their API baseline score and would prescribe a minimum percentage growth target of 5% annually. Upon adoption of state performance standards by the State Board of Education, the Superintendent of Public Instruction would be required to recommend, and the State Board of Education would be required to adopt, a statewide API performance target. The bill would also require the Superintendent of Public Instruction to establish an advisory committee to advise the Superintendent of Public Instruction and the State Board of Education on matters relative to the programs established by the bill.

This bill would require the Superintendent of Public Instruction, with the approval of the State Board of Education, to invite schools that scored below the 50th percentile on the Standardized Testing and Reporting program achievement tests to participate in the Immediate Intervention/Underperforming Schools Program that would be limited to 430 schools with a maximum number of schools in each of 3 grade level categories. This bill would impose a state-mandated local program by providing that if fewer than the number of schools in any grade level category apply, schools that scored below the 50th percentile in those grades may be randomly selected to participate in this program. A school selected to participate would be awarded a planning grant ranging from \$25,000 to \$50,000, based on criteria that would be developed by the Superintendent of Public Instruction and approved by the State Board of Education.

This bill would require the Superintendent of Public Instruction to develop, and the State Board of Education to approve, minimum qualifications for external evaluators and, with the approval of the State Board of Education, to develop and disseminate an application process by which to establish a list of external evaluators.



This bill would require the governing board of a school district having jurisdiction over a school selected for participation in the Immediate Intervention/Underperforming Schools Program to contract with an external evaluator and to appoint a broad-based schoolsite and community team. The bill would require the external evaluator to complete a review of the school that identifies weaknesses that contribute to the school's below-average performance and makes recommendations for improvement. The external evaluator and a broad-based schoolsite would be required to develop an action plan with prescribed components to improve the academic achievement of the pupils enrolled at the school. The bill would require the plan to be submitted to the governing board of the school districts for its approval and after the plan is approved to be submitted to the Superintendent of Public Instruction with a request for funding. The bill would require the State Board of Education to review and approve or disapprove the school's request for funding, based on the recommendation of the Superintendent of Public Instruction, and would authorize the board to waive all or any part of any provision of the Education Code, or any board adopted regulation, controlling categorical education programs if certain conditions are met.

This bill would require a school whose application is approved to receive funding in each fiscal year that it participates in the program in an amount up to \$150 per pupil enrolled in the school, with a minimum allocation of \$25,000 per schoolsite. The bill would require the participating school or the school district having jurisdiction over that school to match the state funding and would require them to redirect for purposes of their academic improvement plan their new or existing categorical education funding. To the extent this requirement results in the expenditure of categorical education funding for purposes other than those for which it was appropriated, the bill would reappropriate those funds.

This bill would require the governing board of a school that fails to meet its annual short-term growth target within 12 months following receipt of funding to hold a public hearing at a regularly scheduled meeting to ensure that members of



the school community are aware of the lack of progress and to choose from a range of interventions for the school to continue implementing the action plan and progressing toward meeting the school's growth targets.

This bill would require a school that meets or exceeds its growth target within 24 months after receipt of funding to receive an award under the Governor's Performance Award program. The bill would require a school that has not met its performance goals, but demonstrates significant growth within this period to continue to participate in the program for an additional year and to receive funding. The bill would deem a school that does not meet its performance goals within 24 months after receipt of funding and has failed to show significant growth an educationally deficient school.

This bill would require the Superintendent of Public Instruction to assume all the legal rights, duties, and powers of the governing board with respect to an educationally deficient school. The bill would require the Superintendent of Public Instruction, in consultation with the State Board of Education and the governing board of the school district, to reassign the principal of that school and to take other enumerated actions.

This bill would require, under the High Achieving/Improving Schools Program, the Superintendent of Public Instruction to rank all public schools based on the API by grade level of instruction provided. The bill would require that the rankings indicate the target annual growth rates, the actual growth rates attained by the schools, and how growth rates compare schools that have similar characteristics. The bill would require the Superintendent of Public Instruction to annually publish these rankings on the Internet.

This bill would require the governing board of each school district to discuss the results of the annual ranking at a regularly scheduled meeting, thereby imposing a state-mandated local program.

This bill would authorize a school that is eligible to participate in the Governor's Performance Award Program to request the State Board of Education to waive or any part of any provision of the Education Code, or any board adopted



regulation, controlling categorical education programs and would authorize the board to grant the request if certain conditions are met. The bill would also require that a school that demonstrates significant growth be granted maximum flexibility in its expenditure of new and existing categorical funds to enable the school to continue improvement in pupil performance.

This bill would provide that a school that fails to meet the established annual state growth targets may be subject to the Immediate Intervention/Underperforming Schools Program.

This bill would require the State Board of Education to establish a Governor's Performance Award program to provide monetary and nonmonetary awards to schools that meet or exceed API performance growth targets and would make all schools, including schools participating in the Immediate Intervention/Underperforming Schools Program eligible to participate in the Governor's Performance Award program.

This bill would appropriate \$192,300,000 to the Superintendent of Public Instruction for the purposes of its provisions, of which \$160,000,000 would be appropriated from the General Fund and \$32,300,000 would be appropriated from the Federal Trust Fund. The funds appropriated from the General Fund by this bill would be applied toward the minimum funding requirements for school districts and community college districts imposed by Section 8 of Article XVI of the California Constitution.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.



~~This bill would establish the Public School Performance Accountability Program that would consist of a state Academic Performance Index, known as the API, an Immediate Intervention/Underperforming Schools Program, and a Governor's High Achieving/Improving Schools Program.~~

~~This bill would require the Superintendent of Public Instruction, with approval of the State Board of Education, by July 1, 1999, to develop the Academic Performance Index (API), consisting of a variety of indicators, to be used to measure performance of schools, especially the academic performance of pupils. The bill would require the Superintendent of Public Instruction to develop and the State Board of Education to adopt, based on the API, expected annual percentage growth targets for all schools based on their API baseline score as measured in July 1999 and would prescribe a minimum percentage growth target of 5% annually and authorize the State Board of Education to set differential growth targets based on grade level of instruction and set higher growth targets for the lowest performing schools. Upon adoption of state performance standards by the State Board of Education, the Superintendent of Public Instruction would be required to recommend and the State Board of Education would be required to adopt, a statewide API performance target that represents the proficiency level required to meet the state academic content standards. The bill would provide that only comprehensive high schools, middle, and elementary schools with populations of 100 or more pupils may be included in the API ranking, and would require the Superintendent of Public Instruction, with the approval of the State Board of Education, to develop an alternative accountability system for schools with fewer than 100 pupils, and for county schools, community schools, and alternative schools by July 1, 2000. The bill would also require the Superintendent of Public Instruction to establish an advisory committee to advise the Superintendent of Public Instruction and the State Board of Education on matters relative to the programs established by the bill.~~

~~This bill would establish an Immediate Intervention/Underperforming Schools Program and would~~



~~require the Superintendent of Public Instruction, with the approval of the State Board of Education, by August 15, 1999, to invite schools that scored below the 50th percentile on the Standardized Testing and Reporting program achievement tests both in the spring of 1998 and in the spring of 1999 to participate in the program. This program would be limited to 430 schools, with no more than 301 elementary schools, 78 middle schools and 52 high schools. This bill would impose a state-mandated local program by providing that if fewer than the number of schools in any grade level category apply, schools that scored below the 50th percentile in those grades may be randomly selected to participate in this program. A school selected to participate on or before September 1, 1999, would be awarded a planning grant ranging from \$25,000 to \$50,000, based on criteria that would be developed by the Superintendent of Public Instruction and approved by the State Board of Education. A school selected after September 1, 1999, would receive the award if funds are appropriated for this purpose in the Budget Act.~~

~~This bill would require the Superintendent of Public Instruction to develop and the State Board of Education to approve minimum qualifications for external evaluations, and with the approval of the State Board of Education to establish a list of external evaluators, and would require by October 1 of the year a school is selected to participate in the program, the governing board of a school district having jurisdiction over a school selected for participation in the Immediate Intervention/Underperforming Schools Program to appoint an external evaluator and a broad-based schoolsite and community team, consisting of a majority of nonschoolsite personnel. The bill would require the selected external evaluator to complete a review of the school by December 15 of the year a school is selected to participate in the program, that identifies weaknesses that contribute to the school's below-average performance and makes recommendations for improvement. The external evaluator and a broad-based schoolsite would be required to develop an action plan with prescribed components to improve the academic achievement of the pupils enrolled at the school, including percentage growth targets at least as high as the annual~~



~~growth targets adopted by the State Board of Education, submit the plan to the governing board of the school districts for its approval, and after the plan is approved, but no later than March 15 of the year that follows the year a school is selected to participate in the program, and would require the plan to be submitted to the Superintendent of Public Instruction with a request for funding in the form prescribed by the Superintendent of Public Instruction. Approval by the State Board of Education of the request for funding to implement a school's action plan would be conclusively presumed to grant a waiver of all code sections, regulations, or programs identified by the school board as impediments to improving performance by an external evaluator and contained in the school's action plan. A school whose application is approved on or before August 1, 1999, would receive funding, in each fiscal year that it participates in the program, in an amount equal to \$150 per pupil enrolled in the school, with a minimum allocation of \$25,000 per schoolsite. A school that applies after August 1, 1999, may receive funding if funds are appropriated for this purpose in the Budget Act. These schools would be required to match funds from its existing sources of funding.~~

~~This bill would require the governing board of a school that fails to meet its annual short-term growth target at the end of the first year of participating in the program to hold a public hearing at a regularly scheduled meeting to ensure that members of the school community are aware of the lack of progress, and to impose more serious consequences, including, but not limited to, allowing pupils to attend another public school in the district and placing the school principal on probation.~~

~~This bill would provide that after 2 years of participating in the program, a school that meets or exceeds its growth target each year shall receive a monetary award, under the Governor's Performance Award program, a school that has not met its performance goals, but demonstrates significant growth, as determined by the State Board of Education, shall continue to participate in the program for an additional year and to receive funding, and a school that does not meet its performance goals after two years of participating in the~~



~~program and has failed to show significant growth, as determined by the State Board of Education, would be deemed an educationally deficient school.~~

~~This bill would provide that with respect to an educationally deficient school, the Superintendent of Public Instruction would be required to assume all the legal rights, duties, and powers of the governing board, and, in consultation with the State Board of Education and the governing board of the school district, would reassign the principal of that school and would grant broad power to take other enumerated actions.~~

~~This bill would establish a High Achieving/Improving Schools Program and would require the Superintendent of Public Instruction, commencing in June 2000, and every June thereafter, with approval of the State Board of Education, to rank all public schools based on the API by grade level of instruction provided and including elementary, middle, and high school. The bill would require, commencing in June 2001, that the rankings indicate the target annual growth rates, the actual growth rates attained by the schools, and growth rates compare schools that have similar characteristics, and would require the Superintendent of Public Instruction to annually publish these rankings on the Internet. This bill would require, commencing in July 2000, and every July thereafter, the governing board of each school district shall hold a hearing to discuss the results of the annual ranking, thereby imposing a state-mandated local program.~~

~~This bill would provide that a school that is eligible to participate in the Governor's Performance Award Program may elect to present a list of code sections, regulations, or programs subject to waiver by the State Board of Education that the school has identified as unnecessary for the continued improvement of pupil performance, and the approval by the board of a school for inclusion in this award program is conclusively presumed to grant a waiver of all code sections, regulations, or programs identified by the school. The bill would also require that a school that demonstrates significant growth be granted maximum flexibility in its expenditure of existing categorical funds to enable the school to continue improvement in pupil performance.~~



~~This bill would provide that commencing with the 2000-01 school year, a school that fails to meet the established annual state growth targets may be subject to the Immediate Intervention/Underperforming Schools Program.~~

~~This bill would require the State Board of Education to establish a Governor's Performance Award program to provide monetary awards to schools that meet or exceed API performance growth targets, and would provide that all schools, including schools participating in the Immediate Intervention/Underperforming Schools Program are eligible to participate in the Governor's Performance Award program.~~

~~This bill would appropriate \$192,300,000 to the Superintendent of Public Instruction for the purposes of its provisions, of which \$160,000,000 would be appropriated from the General Fund and \$32,300,000 would be appropriated from the Federal Trust Fund.~~

~~The funds appropriated from the General Fund by this bill would be applied toward the minimum funding requirements for school districts and community college districts imposed by Section 8 of Article XVI of the California Constitution.~~

~~The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.~~

~~This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.~~

~~Vote: majority. Appropriation: yes. Fiscal committee: yes. State-mandated local program: yes.~~

The people of the State of California do enact as follows:

1 SECTION 1. Chapter 6.1 (commencing with Section
2 52050) is added to Part 28 of the Education Code, to read:
3

[1]



1 CHAPTER 6.1. PUBLIC SCHOOLS ACCOUNTABILITY ACT OF
2 1999
3

4 Article 1. Legislative Findings and Intent
5

6 52050. This chapter shall be known and may be cited
7 as the Public Schools Accountability Act of 1999.

8 52050.5. The Legislature finds and declares all of the
9 following:

10 (a) The purpose of the California public school system
11 is to provide for the academic development of each pupil
12 and prepare each pupil, to the extent of his or her ability,
13 to become a lifelong learner, equipped to live and
14 succeed within the economic and societal complexities of
15 the 21st century.

16 (b) It is in the interest of the people and the future of
17 this state to ensure that each child in California receives
18 a high quality education consistent with all statewide
19 content and performance standards, as adopted by the
20 State Board of Education, and with a meaningful
21 assessment system and reporting program requirements.

22 (c) Recent assessments indicate that many pupils in
23 California are not now, generally, progressing at a
24 satisfactory rate to achieve a high quality education.

25 (d) To remedy this, the state is in need of an
26 immediate and comprehensive accountability system to
27 hold each of the state's public schools accountable for the
28 academic progress and achievement of its pupils *within*
29 *the resources available to schools*.

30 (e) Any promising and effective accountability system
31 must be based upon a constructive and collaborative
32 process that seeks to include ~~every stakeholder~~
33 *stakeholders* in the accountability process.

34 (f) Any promising and effective accountability system
35 requires the active involvement of parents and guardians,
36 pupils, educators, community leaders, school boards, and
37 schoolsite teams.

38 (g) The statewide school accountability system must
39 encourage the active participation of parents and



1 guardians, pupils, educators, and the local community in
2 improving pupil achievement.

3 (h) The statewide accountability system must be
4 easily accessible and understandable to parents and
5 others.

6 (i) The statewide accountability system must include
7 rewards that recognize high achieving schools as well as
8 interventions and, ultimately, sanctions for schools that
9 are continuously low performing.

10 (j) It is also the intent of the Legislature that the
11 comprehensive and effective school accountability
12 system primarily focus on increasing academic
13 achievement.

14 (k) To achieve better student performance, it is the
15 intent of the Legislature that any school accountability
16 system do all of the following:

17 (1) Encourage teacher preparation that allows
18 teachers to develop the ability to inspire pupils to become
19 lifelong learners.

20 (2) Encourage teacher preparation and consistent
21 ongoing professional development that serves to develop
22 competency in content and pedagogy and that allows
23 teachers to effectively involve themselves in promoting
24 school accountability.

25 (3) Encourage the involvement of the community and
26 ~~all~~ its stakeholders in the accountability system.

27 (4) Encourage local community involvement in
28 providing support for education and identifying causes of
29 pupil failure and designing programs for remediation.

30 (5) Approach accountability with an attitude of
31 collaboration, encouragement, and correction.

32 ~~(6) Develop a state infrastructure that supports~~

33 (6) *Utilize the state infrastructure to support* schools,
34 school districts, and county offices of education in their
35 efforts to improve pupil achievement and progress.

36 (7) ~~Build the capacity of~~ *Encourage* each local
37 community to support and sustain high-quality
38 educational programs and to build the capacity of
39 educators and schools to succeed in educating every
40 pupil.



1 (8) Encourage active involvement of parents and
2 guardians in the development and implementation of
3 school accountability systems.

4

5 Article 2. Public School Performance Accountability
6 Program

7

8 52051. The Public School Performance
9 Accountability Program is hereby established and shall
10 consist of the following three component parts:

11 (a) The state Academic Performance Index, to be
12 known as the API.

13 (b) The Immediate Intervention/Underperforming
14 Schools Program.

15 (c) The Governor's High Achieving/Improving
16 Schools Program.

17 52051.5. For purposes of this chapter, all references to
18 schools shall include charter schools.

19 52052. (a) By July 1, 1999, the Superintendent of
20 Public Instruction, with approval of the State Board of
21 Education, shall develop an Academic Performance
22 Index, to be used to measure performance of schools,
23 especially the academic performance of pupils, and
24 demonstrate comparable improvement in academic
25 achievement by all numerically significant ethnic and
26 socioeconomically disadvantaged subgroups within
27 schools. *A numerically significant ethnic or*
28 *socioeconomically disadvantaged subgroup is a subgroup*
29 *that constitutes at least 15 percent of a school's total pupil*
30 *population and consists of at least 30 pupils.* The index
31 shall consist of a variety of indicators *currently reported*
32 *to the State Department of Education* including, but not
33 limited to, the results of the achievement test
34 administered pursuant to Section 60640, attendance rates
35 for pupils and *certificated* school personnel for
36 elementary *schools*, middle schools, and secondary
37 schools, and the graduation rates for pupils in secondary
38 schools. The *pupil* data collected for the API shall be
39 disaggregated by special education status, English
40 language learners, socioeconomic status and ethnic



1 group. Only the test scores of pupils enrolled in a school
2 district for one year or more may be included in the test
3 results reported in the API. Results of the achievement
4 ~~tests test and other tests specified in subdivision (b)~~ shall
5 constitute at least 60 percent of the value of the ~~index~~.

6 ~~(b) Student scores results from the assessment of the~~
7 ~~applied academic skills matrix test developed pursuant to~~
8 ~~Section 60604, when available, and a high school exit~~
9 ~~exam, when available, shall be incorporated into the API~~
10 ~~index. Before including high school graduation rates and~~
11 ~~attendance rates in the index, the Superintendent of~~
12 ~~Public Instruction shall require school districts to collect~~
13 ~~and report all necessary additional data to accurately~~
14 ~~reflect high school graduation rates and school~~
15 ~~attendance rates.~~

16 (b) Pupil scores from the following tests, when
17 available, shall be incorporated into the API:

18 (1) The assessment of the applied academic skills
19 matrix test development pursuant to Section 60604.

20 (2) The nationally normed test as augmented
21 pursuant to paragraph (1) of subdivision (f) of Section
22 60644 when found to be valid and reliable for this purpose.

23 (3) The high school exit examination.

24 (c) Based on the API, the Superintendent of Public
25 Instruction shall develop, and the State Board of
26 Education shall adopt, expected annual percentage
27 growth targets for all schools based on the their API
28 baseline score as measured in July 1999. *Schools are*
29 *expected to meet these growth targets through effective*
30 *allocation of available resources.* The minimum
31 percentage growth target shall be 5 percent annually.
32 However, the State Board of Education, may set
33 differential growth targets based on grade level of
34 instruction and may set higher growth targets for the
35 lowest performing schools, because they have the
36 greatest room for improvement.

37 (d) Upon adoption of state performance standards by
38 the State Board of Education, the Superintendent of
39 Public Instruction shall recommend, and the State Board
40 of Education shall adopt, a statewide API performance



1 target that *includes consideration of performance*
2 *standards and* represents the proficiency level required
3 to meet the state ~~academic content standards~~
4 *performance target*. When fully developed, schools may
5 either meet the state ~~standard~~ *target* or meet their
6 growth targets to be eligible for the Governor's
7 Performance Award Program as set forth in Section
8 52057.

9 (e) Beginning in June 2000, the API shall be used for
10 both of the following:

11 (1) Measure the progress of schools selected for
12 participation in the Immediate
13 Intervention/Underperforming Schools Program
14 pursuant to Section 52053.

15 (2) Rank all public schools in the state for the purpose
16 of the High Achieving/Improving Schools Program
17 pursuant to Section 52056.

18 (f) Only comprehensive high schools, middle *schools*,
19 and elementary schools ~~with populations that have a~~
20 *population* of 100 or more pupils may be included in the
21 API ranking.

22 (g) By July 1, 2000, the Superintendent of Public
23 Instruction, with the approval of the State Board of
24 Education, shall develop an alternative accountability
25 system for schools with fewer than 100 pupils, and for
26 ~~county schools, community schools under the jurisdiction~~
27 *of a county board of education or a county*
28 *superintendent of schools, community day schools*, and
29 alternative schools, including continuation high schools
30 and independent study schools.

31 52052.5. The Superintendent of Public Instruction
32 shall establish a broadly representative and diverse
33 advisory committee to advise the Superintendent of
34 Public Instruction and the State Board of Education on all
35 appropriate matters relative to the creation of the
36 Academic Performance Index and the implementation of
37 the Immediate Intervention/Underperforming Schools
38 Program and the High Achieving/Improving Schools
39 Program. Members of the advisory committee shall serve
40 without compensation for terms not to exceed two years.



1 The State Department of Education shall provide staff to
2 the advisory panel.

3

4 Article 3. Immediate Intervention/Underperforming
5 Schools Program

6

7 52053. (a) The Immediate
8 Intervention/Underperforming Schools Program is
9 hereby established. By August 15, 1999, the
10 Superintendent of Public Instruction, with the approval
11 of the State Board of Education, shall invite schools that
12 scored below the 50th percentile on the achievement
13 tests administered pursuant to Section 60640 both in the
14 spring of 1998 and in the spring of 1999 to participate in
15 the Immediate Intervention/Underperforming Schools
16 Program.

17 (b) The total number of schools participating in the
18 program shall be 430. Unless subdivision (d) applies,
19 schools that apply will be selected based on the order in
20 which they apply within ranks of deciles, not to exceed 86
21 per decile, within the following grade level categories:

22 (1) No more than 301 elementary schools.

23 (2) No more than 78 middle schools.

24 (3) No more than 52 high schools.

25 (c) The 86 schools selected within each decile range
26 pursuant to subdivision (b) shall proportionately
27 represent elementary, middle, and high schools and shall
28 provide statewide proportionate geographic
29 representation of urban and rural schools.

30 (d) If fewer than ~~than~~ the number of schools in any
31 grade level category apply, schools that scored below the
32 50th percentile in those grade level categories that did
33 not apply for the program shall randomly be selected by
34 the Superintendent of Public Instruction, with the
35 approval of the State Board of Education, to participate
36 based on their proportional representation in the state
37 until the number of schools in each grade level category
38 set forth in subdivision (b) is achieved.

39 (e) If more than the requisite number of schools apply
40 for any grade level category, the Superintendent of



1 Public Instruction shall select an array of schools that
2 reflect a broad range of academic performance of schools
3 that scored below the 50th percentile, until the number
4 of schools in each grade level category set forth in
5 subdivision (b) is achieved. *A school required to*
6 *participate may take any action to improve pupil*
7 *performance at that school if the action is not otherwise*
8 *prohibited by state or federal law and does not require*
9 *reimbursement by the Commission on State Mandates.*

10 (f) A school selected to participate on or before
11 September 1, 1999, shall be awarded a planning grant
12 ranging in amount from twenty-five thousand dollars
13 (\$25,000) to fifty thousand dollars (\$50,000). ~~A school~~
14 ~~selected to participate after September 1, 1999, may~~
15 ~~receive a planning grant if funds are appropriated for this~~
16 ~~purpose in the Budget Act.~~ The actual dollar amount of
17 the planning grant shall be based on criteria developed
18 by the Superintendent of Public Instruction and
19 approved by the State Board of Education.

20 (g) Schools selected for participation in the program
21 shall be notified by the Superintendent of Public
22 Instruction no later than September 1 *of each year.*

23 52053.5. (a) The Superintendent of Public
24 Instruction shall develop, and the State Board of
25 Education shall approve, the minimum qualifications for
26 external evaluators that shall include, but may not be
27 limited to, recent successful professional, managerial or
28 governing board experience in improving school
29 achievement, and the ability to assist the school to
30 systematically align curriculum, instruction, and
31 assessment. The external evaluators shall also have
32 demonstrated experience in working with diverse
33 populations. With the approval of the State Board of
34 Education, the Superintendent of Public Instruction shall
35 *develop and disseminate an application process by which*
36 *to establish a list of external evaluators that meet the*
37 *minimum qualifications.* The list of approved external
38 evaluators may include private sector experts,
39 institutions of higher education, county offices of
40 education, and educational consortia.



1 (b) The Superintendent of Public Instruction shall
2 develop, and the State Board of Education shall approve,
3 the standards and criteria to be applied by external
4 evaluators in carrying out their duties. The standards and
5 criteria shall include, but are not limited to, the following
6 areas:

7 (1) Governing board policies, responsibilities, and
8 ~~boardmanship~~ *boardmanship*.

9 (2) Curriculum management.

10 (3) Fiscal management.

11 (4) Parental and community involvement.

12 (5) Personnel management.

13 (6) Facilities management.

14 52054. (a) By October 1 of the year that the school is
15 selected to participate, the governing board of a school
16 district having jurisdiction over a school selected for
17 participation in the program shall ~~appoint~~ *contract with*
18 an external evaluator from the list of external evaluators
19 and shall appoint a broad-based schoolsite and
20 community team, consisting of a majority of
21 nonschoolsite personnel. *In a school that has a*
22 *limited-English-proficient pupil population that*
23 *constitutes at least 40 percent of the total pupil*
24 *population, an external evaluator shall have*
25 *demonstrated experience in working with a*
26 *limited-English-proficient pupil population. Not less than*
27 *20 percent of the members of the team shall be parents*
28 *or legal guardians of pupils in the school.*

29 (b) *By November 15 of the year that the school is*
30 *selected to participate, the selected external evaluator*
31 *shall solicit input from the parents and legal guardians of*
32 *the pupils of the school. At a minimum, the evaluator shall*
33 *do all of the following:*

34 (1) *Inform the parents and legal guardians, in writing,*
35 *that the school has been selected to participate in the*
36 *Immediate Intervention/Underperforming Schools*
37 *Program due to its below-average performance.*

38 (2) *Hold a public meeting at the school, in cooperation*
39 *with the principal, to which all parents and legal*
40 *guardians of pupils in the school receive a written*



1 invitation. The invitation to the meeting may be
2 combined with the written notice required by paragraph
3 (1).

4 (3) Solicit, at the public meeting, the
5 recommendations and opinions of the participating
6 parents and legal guardians of pupils in the school
7 regarding actions that should be taken to improve the
8 performance of the school. These opinions and
9 recommendations shall be considered by the external
10 evaluator and the community team in the development
11 of the action plan pursuant to this section.

12 (4) Notify all parents and legal guardians of pupils in
13 the school of their right to provide written
14 recommendations of actions that should be taken to
15 improve the performance of the school which shall be
16 considered by the external evaluator and the community
17 team in the development of the action plan pursuant to
18 this section. Notice required by this subdivision may be
19 combined with the written notice required by paragraph
20 (1).

21 ~~(b)~~

22 (c) By December 15 of the year that the school is
23 selected to participate, the selected external evaluator
24 shall complete a review of the school that identifies
25 weaknesses that contribute to the school's below average
26 performance and makes recommendations for
27 improvement.

28 ~~(e)~~

29 (d) By March 15 of the year that follows the year the
30 school is selected to participate, the external evaluator
31 and the schoolsite and community team selected
32 pursuant to subdivision (a) shall develop an action plan
33 to improve the academic achievement of the pupils
34 enrolled at the school. The action plan shall include
35 percentage growth targets at least as high as the annual
36 growth targets adopted by the State Board of Education
37 pursuant to Section 52052. *The action plan shall include*
38 *an expenditure plan and shall be of a scope that does not*
39 *require expenditure of funds in excess of those provided*
40 *pursuant to this article or otherwise available to the*



1 school. The action plan may not be of a scope that requires
2 reimbursement by the Commission on State Mandates for
3 its implementation.

4 ~~(d)~~

5 (e) At a minimum, the action plan shall do all of the
6 following:

7 (1) Review and include the school and district
8 conditions identified in the school accountability report
9 card pursuant to Section 33126.

10 (2) Identify the current barriers at the school and
11 district toward improvements in pupil achievement.

12 (3) Identify schoolwide and districtwide strategies to
13 remove these barriers.

14 (4) Review and include school and school district
15 crime statistics, in accordance with Section 628.5 of the
16 Penal Code.

17 (5) Examine and consider disaggregated data
18 regarding pupil achievement and other indicators to
19 ensure that consider whether all groups and types of
20 pupils make adequate progress toward short-term
21 growth targets and long-term performance goals. The
22 disaggregated data to be included and considered by the
23 plan shall, at a minimum, provide information regarding
24 the achievement of English learners, economically
25 disadvantaged pupils, and other groups of pupils.

26 ~~(5)~~

27 (6) Set short-term academic objectives pursuant to
28 Section 52052 for a two-year period that will allow the
29 school to make adequate progress toward the growth
30 targets established for ~~all participating schools~~ each
31 participating school for pupil achievement as measured
32 by all of the following to the extent that the data is
33 available for the school:

34 (A) The achievement test administered pursuant to
35 Section 60640.

36 (B) Graduation rates for grades 7 to 12, inclusive.

37 (C) Attendance rates for pupils and school personnel
38 for elementary, middle schools, and secondary schools.

39 (D) Progress towards meeting state and local content
40 and performance standards.



1 ~~(e)~~

2 (f) The school action plan shall focus on *improving*
3 *pupil academic performance, improving the effective*
4 *and efficient allocation of resources and management of*
5 *the school, and identifying and developing solutions that*
6 take into account the underlying causes for low
7 performance by pupils.

8 ~~(f)~~

9 (g) The team, in the development of the action plan,
10 shall consult with the exclusive representatives of
11 employee organizations, where they exist.

12 ~~(g)~~

13 (h) Upon its completion, the action plan shall be
14 submitted to the governing board of the school districts
15 for its approval. After the plan is approved, but no later
16 than April 15 of the year that follows the year the school
17 is selected to participate, the plan shall be submitted to
18 the Superintendent of Public Instruction with a request
19 for funding in the form prescribed by the Superintendent
20 of Public Instruction.

21 ~~(h) By May 15 of the year that follows the year the~~
22 ~~school is selected to participate, the State Board of~~
23 ~~Education shall review and recommend approval or~~
24 ~~disapproval for all requests for funding, based on the~~
25 ~~recommendations of the Superintendent of Public~~
26 ~~Instruction. Approval by the State Board of Education of~~
27 ~~the request for funding to implement a school's action~~
28 ~~plan shall be conclusively presumed to grant a waiver,~~
29 ~~pursuant to Section 44670.7, of all code sections,~~
30 ~~regulations, or programs identified by the governing~~
31 ~~board of the school district as impediments to improving~~
32 ~~performance by an external evaluator and contained in~~
33 ~~a school's action plan.~~

34 (i) *Not later than May 15 of the year next following the*
35 *year in which a school is selected for participation, the*
36 *State Board of Education shall review and approve or*
37 *disapprove the school's request for funding, based on the*
38 *recommendation of the Superintendent of Public*
39 *Instruction. In conjunction with its approval of a request*
40 *for funding to implement a school's action plan, the State*



1 *Board of Education may waive all or any part of any*
2 *provision of this code, or any regulation adopted by the*
3 *State Board of Education, controlling any of the programs*
4 *listed in clause (i) of subparagraph (B) of paragraph (1)*
5 *of subdivision (a) of Section 54761 and Section 64000 if the*
6 *waiver does not result in a decrease in the instructional*
7 *time otherwise required by law or regulation or an*
8 *increase in state costs and is determined to be consistent*
9 *with subdivision (a) of Section 46300.*

10 52054.5. A school whose application is approved on or
11 before ~~August 1, 1999~~, *June 15 of the year following the*
12 *year in which a school is selected for funding shall receive*
13 *a grant for implementing the program, in each fiscal year*
14 *that it participates in the program, in an amount equal to*
15 *up to one hundred fifty dollars (\$150) per pupil enrolled*
16 *in the school, with a minimum allocation of twenty-five*
17 *thousand dollars (\$25,000) per schoolsite. A school that*
18 *applies after ~~August 1, 1999~~, June 15 may receive a grant*
19 *for implementing the program if funds are appropriated*
20 *for this purpose in the Budget Act. As a condition of*
21 *receiving this funding, a participating school or the school*
22 *district having jurisdiction over that school shall match*
23 *the amount of state funding from its any new or existing*
24 *sources of funding. To help meet this matching*
25 *requirement, a participating school and the governing*
26 *board of the school district having jurisdiction over that*
27 *school shall receive maximum flexibility in the*
28 *expenditure of their existing categorical funds and shall*
29 *target all necessary funds to their academic improvement*
30 *plan. any new or existing categorical funds not otherwise*
31 *prohibited by state or federal law and shall redirect for*
32 *the purposes of their academic improvement plan new or*
33 *existing categorical or general purpose funds.*

34 52055. The governing board of a school that fails to
35 meet its annual short-term growth target ~~at the end of the~~
36 ~~first year of participating in the program~~ *within 12*
37 *months following receipt of funding pursuant to Section*
38 *52054.5 shall hold a public hearing at a regularly*
39 *scheduled meeting to ensure that members of the school*
40 *community are aware of the lack of progress. The*



1 governing board of the school district shall, upon
2 consultation with the external evaluator and the
3 schoolsite and community team selected pursuant to
4 Section 52054, choose from a range of interventions for
5 the school, including reassignment of school personnel *to*
6 *the extent authorized by law*, negotiation of site-specific
7 amendments to collective bargaining agreements, or
8 other changes deemed appropriate, in order to continue
9 implementing the action plan approved pursuant to
10 Section 51054, and to make progress toward meeting the
11 school's growth targets.

12 ~~52055.5. (a) After two years of participating in the~~
13 ~~program~~

14 52055.5. *Following 24 months after receipt of funding*
15 *pursuant to Section 52054.5*, a school that meets or
16 exceeds its growth target each year shall receive a
17 monetary or nonmonetary award, under the Governor's
18 Performance Award Program, as set forth in Section
19 52057. Funds received from this program shall be used at
20 the school's discretion.

21 ~~(b) After two years of participating in the program, a~~

22 *(b) Following 24 months after receipt of funding*
23 *pursuant to Section 52054.5*, a school that has not met its
24 performance goals, but demonstrates significant growth,
25 as determined by the State Board of Education, shall
26 continue to participate in the program for an additional
27 year and to receive funding in the amount specified in
28 Section 52054.5.

29 (c) A school that does not meet its performance goals
30 ~~after two years of participating in the program and has~~
31 *within 24 months after receipt of funding pursuant to*
32 *Section 52054.5 and has* failed to show significant growth,
33 as determined by the State Board of Education, shall be
34 deemed an educationally deficient school.
35 Notwithstanding any other provision of law, the
36 Superintendent of Public Instruction shall assume all the
37 legal rights, duties, and powers of the governing board
38 with respect to that school. The Superintendent of Public
39 Instruction, in consultation with the State Board of
40 Education and the governing board of the school district,



1 shall reassign the principal of that school *subject to the*
2 *findings in subdivision (e)*. In addition to reassigning the
3 principal, the Superintendent of Public Instruction, in
4 consultation with the State Board of Education, shall,
5 notwithstanding any other provision of law, do at least
6 one of the following:

7 (1) Revise attendance options for pupils to allow them
8 to attend any public school.

9 (2) Allow parents to apply directly to the State Board
10 of Education for the establishment of a charter school and
11 allow parents to establish the charter school at the
12 existing schoolsite.

13 (3) Under the supervision of the Superintendent of
14 Public Instruction, assign the management of the school
15 to a college, university, county office of education, or
16 other appropriate educational institution. However, the
17 Superintendent of Public Instruction may not assume the
18 management of the school.

19 (4) Reassign other certificated employees of the
20 school.

21 (5) Renegotiate a new collective bargaining
22 agreement at the expiration of the existing collective
23 bargaining agreement.

24 (6) Reorganize the school.

25 (7) Close the school.

26 ~~(8) Take~~

27 *(d) In addition to the actions listed in subdivision (c),*
28 *the Superintendent of Public Instruction, in consultation*
29 *with the State Board of Education, may take any other*
30 *action considered necessary or desirable against the*
31 *school district or the school district governing board,*
32 *including appointment of a new superintendent or*
33 *suspension of the authority of the governing board.*

34 ~~(d)~~

35 *(e) Before the Superintendent of Public Instruction*
36 *may take any action against a principal pursuant to*
37 *subdivision (c), the Superintendent of Public Instruction*
38 *or a designee of the superintendent shall hold a public*
39 *hearing on the matter in the school district and make both*
40 *of the following findings:*



1 (1) A finding that the principal had the authority to
2 take specific enumerated actions that would have helped
3 the school meet its performance goals.

4 (2) A finding that the principal failed to take specific
5 enumerated actions pursuant to paragraph (1).

6 *(f) An action taken pursuant to subdivision (c), (d), or*
7 *(e) shall not increase local costs or require*
8 *reimbursement by the Commission on State Mandates.*

9 *(g) An action taken pursuant to subdivision (c), (d),*
10 *or (e) shall be accompanied by specific findings by the*
11 *Superintendent of Public Instruction and the State Board*
12 *of Education that the action is directly related to the*
13 *identified causes for continued failure by a school to meet*
14 *its performance goals.*

15
16 Article 4. High Achieving/Improving Schools
17 Program
18

19 52056. (a) The High Achieving/Improving Schools
20 Program is hereby established. Commencing in June
21 2000, and every June thereafter, the Superintendent of
22 Public Instruction, with approval of the State Board of
23 Education, shall rank all public schools based on the
24 Academic Performance Index established pursuant to
25 Section 52052. The schools shall be ranked by grade level
26 of instruction provided and shall include three categories:
27 elementary, middle, and high school. Commencing in
28 June 2001, the rankings shall indicate the target annual
29 growth rates of schools, the actual growth rates attained
30 by the schools, and how growth rates compare schools
31 that have similar characteristics. For purposes of this
32 section, similar characteristics include, but are not
33 limited to, the following characteristics, insofar as data is
34 available from ~~California Basic Education Data System~~
35 ~~(CBEDS)~~ *the State Department of Education's* data:
36 pupil mobility, pupil ethnicity, pupil socioeconomic
37 status, percentage of teachers who are fully credentialed,
38 percentage of teachers who hold emergency credentials,
39 percentage of pupils who are English language learners,
40 average class size per grade level, and whether the



1 schools operate multitrack year-round educational
2 programs. The Superintendent of Public Instruction shall
3 annually publish these rankings on the Internet.

4 (b) Commencing in July 2000, and every July
5 thereafter, all schools shall report their ranking, including
6 a description of the components of the ranking, in their
7 annual school accountability report card pursuant to
8 Sections 33126 and 35256.

9 (c) Commencing in July 2000, and every July
10 thereafter, the governing board of each school district
11 shall ~~hold a hearing to~~ discuss the results of the annual
12 ranking *at a regularly scheduled meeting*.

13 52056.5. Commencing with the 2000–01 fiscal year, a
14 school that fails to meet annual state growth targets
15 established pursuant to Section 52052 may, as determined
16 by the Superintendent of Public Instruction with the
17 approval of the State Board of Education, be subject to
18 the Immediate Intervention/Underperforming Schools
19 Program pursuant to subdivisions (e) and (f) of Section
20 52053, and Sections 52053.5, 52054, 52054.5, 52055, and
21 52055.5.

22 52057. (a) The State Board of Education shall
23 establish a Governor’s Performance Award Program to
24 provide monetary and nonmonetary awards to schools
25 that meet or exceed API performance growth targets
26 established pursuant to Section 52052, and demonstrate
27 comparable improvement in academic achievement by
28 all numerically significant ethnic and socioeconomically
29 disadvantaged subgroups within schools.

30 (b) All schools, including schools participating in the
31 Immediate Intervention/Underperforming Schools
32 Program are eligible to participate in the Governor’s
33 Performance Award Program. The manner and form in
34 which the monetary and nonmonetary awards are given
35 shall be established by the Superintendent of Public
36 Instruction and approved by the State Board of
37 Education. The monetary awards shall be made available
38 on either a per pupil or per school basis, not to exceed one
39 hundred fifty dollars (\$150) per pupil enrolled and
40 subject to funds appropriated in the annual Budget Act.



1 A school that continues to show improvement in
2 successive years is eligible to receive annual bonuses.

3 (c) In addition to or in substitution of monetary
4 awards, the Superintendent of Public Instruction may
5 establish, upon approval by the State Board of Education,
6 nonmonetary awards that may include, but are not
7 limited to, classification as a distinguished school, listing
8 on a published public school honor roll, and public
9 commendations by the Governor and the Legislature.

10 (d) A school that is eligible to participate in the
11 Governor's Performance Award Program may ~~elect to~~
12 ~~present a list of code sections, regulations, or programs~~
13 ~~subject to waiver pursuant to Section 44670.7 that the~~
14 ~~school has identified as unnecessary for the continued~~
15 ~~improvement of pupil performance at the school.~~
16 *Approval by the State Board of Education of a school for*
17 *inclusion in the Governor's Performance Award Program*
18 *shall be conclusively presumed to grant a waiver of all*
19 *code sections, regulations, or programs identified by the*
20 *school as unnecessary for the continued improvement of*
21 *pupil performance. request the State Board of Education*
22 *to waive, all or any part of any provision of this code, or*
23 *any regulation adopted by the State Board of Education,*
24 *controlling any of the programs listed in clause (i) of*
25 *subparagraph (B) of paragraph (1) of subdivision (a) of*
26 *Section 54761 and Section 64000, and the board may grant*
27 *the request if the waiver does not result in a decrease in*
28 *the instructional time otherwise required by law or*
29 *regulation or an increase in state costs and is determined*
30 *to be consistent with subdivision (a) of Section 46300.*

31 (e) A school that demonstrates significant growth shall
32 be granted maximum flexibility in its expenditure of *any*
33 *new or existing* categorical funds *not otherwise*
34 *prohibited under state or federal law* to enable the school
35 to continue improvement in pupil performance.

36 52058. (a) By January 31, 2002, each school district
37 with schools participating in the Immediate
38 Intervention/Underperforming Schools Program
39 established pursuant to Section 52053 shall submit to the
40 Superintendent of Public Instruction an evaluation of the



1 impact, costs, and benefits of the program as it relates to
2 the school district and the schools under its jurisdiction
3 that are participating in the program and whether or not
4 the schools met their growth targets, with an analysis of
5 the reasons why the schools have or have not met those
6 growth targets. *Costs to develop and submit the*
7 *evaluation shall be funded with resources provided*
8 *pursuant to Article 3 (commencing with Section 52053).*

9 (b) By January 15, 2000, the Superintendent of Public
10 Instruction shall develop, and the State Board of
11 Education shall approve, the guidelines for a request for
12 proposal for an independent evaluator as described in this
13 subdivision. By March 15, 2000, the Superintendent of
14 Public Instruction shall contract with an independent
15 evaluator to prepare a comprehensive evaluation of the
16 implementation, impact, costs, and benefits of the
17 Immediate Intervention/Underperforming Schools
18 Program and the High Achieving/Improving Schools
19 Program. The preliminary results of the evaluation shall
20 be disseminated to the Legislature, the Governor, and
21 interested parties no later than March 31, 2002, with a
22 final report no later than June 30, 2002. The final report
23 shall include recommendations for necessary or desirable
24 modifications to the programs established pursuant to this
25 chapter.

26 (c) The evaluations shall consider all of the following:

27 (1) Pupil performance data, including, but not limited
28 to, results of assessments used to determine whether or
29 not schools have made significant progress towards
30 meeting their growth targets.

31 (2) Program implementation data, including, but not
32 limited to, a review of startup activities, community
33 support, parental participation, staff development
34 activities associated with implementation of the program,
35 percentage of fully credentialed teachers, percentage of
36 teachers who hold emergency credentials, percentage of
37 teachers assigned outside their subject area of
38 competence, average class size per grade level, and the
39 number of pupils in a multitrack year-round educational
40 program.



1 (3) (A) Pupil performance data, and its impact on the
2 API, for each of the following subgroups:

- 3 (i) English language learners.
- 4 (ii) Pupils with exceptional needs.
- 5 (iii) Pupils that qualify for free or reduced price meals
6 and are enrolled in schools that receive funds under
7 Chapter 1 of the federal Elementary and Secondary
8 Education Act of 1965, as amended by the Augustus F.
9 Hawkins-Robert T. Stafford Elementary and Secondary
10 School Improvement Amendments of 1988 (P.L.
11 100-290).

12 (B) Information concerning individual pupils may not
13 be ~~maintained~~ or disclosed in the process of preparing
14 pupil performance data pursuant to this subdivision.

15 (d) The Superintendent of Public Instruction shall
16 recommend and the State Board of Education shall
17 approve a schedule for biennial evaluations of the
18 programs established pursuant to this chapter,
19 subsequent to the evaluation required by this section. The
20 biennial evaluations shall be submitted, with appropriate
21 recommendations, by June 30 of every odd-numbered
22 year, commencing with the year 2003.

23 SEC. 2. (a) The sum of one hundred ninety-two
24 million three hundred thousand dollars (\$192,300,000) is
25 hereby appropriated according to the following schedule:

26 (1) Sixty-three million eight hundred fifty thousand
27 dollars (\$63,850,000) from the General Fund to the
28 Superintendent of Public Instruction for allocation to
29 school districts for purposes of providing funding for
30 planning and grants for implementing the Immediate
31 Intervention/Underperforming Schools Program as set
32 forth in Article 3 (commencing with Section 52053) of
33 Chapter 6.1 of Part 28 of the Education Code.

34 (2) Thirty-two million three hundred thousand dollars
35 (\$32,300,000) from the Federal Trust Fund to the
36 Superintendent of Public Instruction for allocation to
37 school districts for purposes of providing funding for
38 planning and grants for implementing the Immediate
39 Intervention/Underperforming Schools Program as set



1 forth in Article 3 (commencing with Section 52053) of
2 Chapter 6.1 of Part 28 of the Education Code.

3 (3) Ninety-six million one hundred fifty thousand
4 dollars (\$96,150,000) from the General Fund to the
5 Superintendent of Public Instruction for allocation to
6 school districts that meet or exceed performance growth
7 targets established by the board pursuant to the High
8 Achieving/Improving Schools Program as set forth in
9 Article 4 (commencing with Section 52056) of Chapter
10 6.1 of Part 28 of the Education Code.

11 (b) For the purposes of making the computations
12 required by Section 8 of Article XVI of the California
13 Constitution, the appropriation made by paragraphs (1)
14 and (3) shall be deemed to be “General Fund revenues
15 appropriated for school districts,” as defined in
16 subdivision (c) of Section 41202 of the Education Code,
17 for the 1999–2000 fiscal year, and included within the
18 “total allocations to school districts and community
19 college districts from General Fund proceeds of taxes
20 appropriated pursuant to Article XIII B,” as defined in
21 subdivision (e) of Section 41202 of the Education Code,
22 for the 1999–2000 fiscal year.

23 SEC. 3. Notwithstanding Section 17610 of the
24 Government Code, if the Commission on State Mandates
25 determines that this act contains costs mandated by the
26 state, reimbursement to local agencies and school
27 districts for those costs shall be made pursuant to Part 7
28 (commencing with Section 17500) of Division 4 of Title
29 2 of the Government Code. If the statewide cost of the
30 claim for reimbursement does not exceed one million
31 dollars (\$1,000,000), reimbursement shall be made from
32 the State Mandates Claims Fund.

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